

5. (Amended) A process in accordance with claim 1, further comprising continuously measuring the solids content or solids concentration of the second liquid developer in a developer sump.

7. (Amended) A process in accordance with claim 1, further comprising transferring the developed image to a receiver substrate.

Please cancel claim 2, and 5-8 without prejudice or disclaimer.

REMARKS

CLAIM REJECTIONS - 35 U.S.C. §112

Claim 1

Applicants do not find the term "toner cake layer" recited in claim 1 or in any of the claims of this invention? Applicants request that the Examiner withdraw this rejection.

Applicants believe claim 1 is not indefinite. "Developer cake", contrary to the Examiner's assertions is defined on page 12, lines 8 and 9 of the specifications. Applicants request that the Examiner withdraw this rejection.

CLAIM REJECTIONS - 35 U.S.C. §103

Claims 1-9 are rejected under 35 USC 103 as being unpatentable over US 5,826,147 to Wellings in view of Lane and further in view of Liu. Which rejection is respectfully traversed.

The Board of Patent Appeals and Interferences, in Ex Parte Levingood, 28 USPQ 2d 1300 (Bd. Pat. App.& Int. 1993) has stated the standard of obviousness as follows:

"Obviousness is a legal conclusion, the determination of which is a question of patent law. In re Papesch, 315 F.2d 381, 137 USPQ 43

(CCPA 1963). In order to establish a *prima facie* case of obviousness, it is necessary for the examiner to present evidence¹, preferably in the